

3.e. Twenty-Four Hour Duty Concept: There have been many misconceptions concerning this particular point. Some have felt that the concept implies ability to order civilian employees of CIA to be available at all times, day or night, to go to any place where ordered. Others have felt that the purpose to be served by adopting such a concept would be to confer additional benefits in the medical field. Still others have believed that such a concept is necessary for people considered as career intelligence officers dedicated to their profession. An incidental point involved here would be the possible elimination of overtime and night differentials.

There will not be considered here the medical benefits aspects of this problem since that is more properly included in 3.f. The matter of elimination of overtime and night differentials, it is believed more properly could be considered under the general classification of pay and classification. That leaves the more nebulous concept of having careerists available at all times to respond to the needs of service. This it is suggested could very possibly be the subject of legislation in any package career service program for CIA. In writing such a bill, it would seem highly desirable to place on Careerists, obligations as it would provide a quid pro quo for the benefits to be conferred. It is suggested that so long as CIA people are civilians that the principal effect of any such legislation would be statutory recognition of the obligations assumed by the Careerists. However, no legally enforceable action could be taken. It can be argued that penalties could be provided for failure to follow orders but this may be going too far at this time.

Recommendation: It is recommended that legislation be drafted to establish the concept that a Careerist is subject to order at all times, such obligations would include both response to call to duty at any time and also call to duty at any place.

Prohibitions:

It has been suggested that in considering any over-all legislation relating to Career Service, CIA should incorporate certain prohibitions directed at activities of employees. The Foreign Service Act of 1946 provides excellent examples. It is believed that if a general Career Service Program is presented to Congress some of these items should be included both because of their desirability and to demonstrate that CIA employees are not entirely free of restrictions. This in turn would provide some justification for the benefits to be conveyed. Examples from the Foreign Service Act paraphrased to meet CIA purposes are as follow:

1. An officer or employee of CIA shall not wear any uniform except such as may be authorized by law, or such as a military command may require civilians to wear in a theater of military operations, or as may be authorized by the Director.

2. An officer or employee of CIA shall not ask nor, except as authorized by the Director, receive for himself or any other person any present, emolument, pecuniary favor, office, or title from any foreign government.

3. An officer or employee of CIA shall not transact or be interested in any business nor engage for profit in any profession in the country to which he is assigned abroad in his own name, or in the name of the Agency, or any other person, except as authorized by the Director.

4. An officer or employee of CIA shall not correspond in regard to the public affairs of any foreign government except with the proper officers of the United States or as authorized by the Director.

5. An officer or employee of CIA shall not recommend any person for employment in any position of trust or profit under the government of a country to which he is assigned abroad, except as authorized by the Director.

6. In carrying out the provisions of this Act or any other Act relating to CIA, no political test shall be required and none shall be taken into consideration.

nor shall there be any discrimination against any person on account of race, creed or color.

Recommendation: It would seem inappropriate to present only prohibitions to the Congress and, therefore, it is recommended that the above provisions be incorporated in any general legislation relating to CIA which is to be presented to the Congress.

Special Note: While not properly to be considered as a prohibition it has been suggested that other items be considered for inclusion in any package bill for a CIA Career Service.

- a. Positive statement that a Careerist accepts the obligation to serve anywhere in the United States or abroad. (This ties into the 24-Hour duty concept.)
- b. Establishing by statute that a Careerist cannot resign except for good cause established to the satisfaction of the DCI or his designee (presumably this would be a board.) While possibly undesirable to establish penalties it is indisputable that the distinction between "resignation" and simply "quitting" is important when placed in the record.